

HOUSE BILL 1322

By Armstrong

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 69 and Title 70, relative to law enforcement
authority of wildlife officers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-11-106(a), is amended by
deleting subdivision (21) and substituting the following:

(21)

(A) "Law enforcement officer" means, except as provided in subdivision
(a)(21)(B), an officer, employee, or agent of government who has a duty imposed
by law to:

(i) Maintain public order; or

(ii) Make arrests for offenses, whether that duty extends to all
offenses or is limited to specific offenses; and

(iii) Investigate the commission or suspected commission of
offenses;

(B) A wildlife officer is not a "law enforcement officer," unless the wildlife
officer is engaged in the discharge of official duties within the scope of authority
for enforcement of a violation of a statute, rule, or proclamation over which
wildlife officers have jurisdiction, including boating in title 69 and wildlife
resources in title 70.

SECTION 2. Tennessee Code Annotated, Section 39-17-314(a), is amended by
deleting subdivision (3) and substituting the following:

(3)

(A) "Law enforcement agency" means, except as provided in subdivision (a)(3)(B), a governmental unit of one (1) or more persons employed full time or part time by the state or federal government, or a political subdivision of the state or federal government, for the purpose of preventing and detecting crime and enforcing laws or local ordinances, and the employees of which are authorized to make arrests for crimes while acting within the scope of their authority;

(B) A wildlife officer does not meet the criteria of a person who composes all or part of a law enforcement agency, unless the wildlife officer is engaged in the discharge of official duties within the scope of authority for enforcement of a violation of a statute, rule, or proclamation over which wildlife officers have jurisdiction, including boating in title 69 and wildlife resources in title 70;

SECTION 3. Tennessee Code Annotated, Section 39-17-1350(c), is amended by deleting the word "or" that appears immediately after the semicolon at the end of subdivision (2), substituting the period "." at the end of subdivision (3) for the language "; or", and adding the following as a new subdivision (4):

(4) Who is a wildlife officer, while not engaged in the discharge of official duties within the scope of authority for enforcement of a violation of a statute, rule, or proclamation over which wildlife officers have jurisdiction, including boating in title 69 and wildlife resources in title 70.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.